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APPLICATION NO	APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/975,797 10/11/2001		10/11/2001	Michael L. Walker	194-15337C1P	9540	
27268	7590	03/17/2005		EXAMINER		
BAKER & DANIELS 300 NORTH MERIDIAN STREET				TUCKER, PHILIP C		
SUITE 27		DIMIN STREET		ART UNIT	PAPER NUMBER	
INDIANAPOLIS, IN 46204-1782		N 46204-1782		1712		
				DATE MAILED: 03/17/2009	τ.	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action						
Before	the	Filing	of an	Ap	peal	Brief

		W
Application No.	Applicant(s)	
09/975,797	WALKER, MICHAEL L.	
Examiner	Art Unit	
Philip C Tucker	1712	

Advisory Action	09/975,797	WALKER, MICHAEL	∟ L.
Before the Filing of an Appeal Brief	Examiner	Art Unit	
	Philip C Tucker	1712	
The MAILING DATE of this communication appe	ars on the cover sheet with the d	correspondence add	ress
THE REPLY FILED 28 February 2005 FAILS TO PLACE THIS	APPLICATION IN CONDITION FO	R ALLOWANCE.	
 The reply was filed after a final rejection, but prior to filing must timely file one of the following replies: (1) an amend condition for allowance; (2) a Notice of Appeal (with appe Examination (RCE) in compliance with 37 CFR 1.114. Th The period for reply expiresmonths from the mailing 	a Notice of Appeal. To avoid aband ment, affidavit, or other evidence, val fee) in compliance with 37 CFR of e reply must be filed within one of to g date of the final rejection.	donment of this applic which places the appli 41.31; or (3) a Reque the following time peri	ication in st for Continued ods:
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire Examiner Note: If box 1 is checked, check either box (a) or	ater than SIX MONTHS from the mailing (b). ONLY CHECK BOX (b) WHEN THE	g date of the final rejection	on.
TWO MONTHS OF THE FINAL REJECTION. See MPEP 7 Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of ex under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	06.07(f). on which the petition under 37 CFR 1.1 tension and the corresponding amount shortened statutory period for reply origi r than three months after the mailing da	136(a) and the appropriation of the fee. The appropring inally set in the final Officential Officentia	te extension fee iate extension fee ce action; or (2) as
 The reply was filed after the date of filing a Notice of Appewas filed on A brief in compliance with 37 CFR 4 Appeal (37 CFR 41.37(a)), or any extension thereof (37 Chas been filed, any reply must be filed within the time per AMENDMENTS 	1.37 must be filed within two month CFR 41.37(e)), to avoid dismissal of	s of the date of filing t	the Notice of
	but prior to the data of filing a brief	will not be entered by	
 The proposed amendment(s) filed after a final rejection, They raise new issues that would require further co They raise the issue of new matter (see NOTE belo They are not deemed to place the application in bei appeal; and/or They present additional claims without canceling a NOTE: See Continuation Sheet. (See 37 CFR 1.1 	nsideration and/or search (see NO w); w); tter form for appeal by materially re corresponding number of finally rej	TE below);	
4. The amendments are not in compliance with 37 CFR 1.1	* **	mpliant Amendment	(PTOL-324).
 5. Applicant's reply has overcome the following rejection(s) 6. Newly proposed or amended claim(s) would be all 	:		
non-allowable claim(s).	,		and controlling three
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is pro The status of the claim(s) is (or will be) as follows: Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: Claim(s) withdrawn from consideration:		Il be entered and an e	xplanation of
AFFIDAVIT OR OTHER EVIDENCE			
 The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good and was not earlier presented. See 37 CFR 1.116(e). 	It before or on the date of filing a No d sufficient reasons why the affidav	otice of Appeal will <u>no</u> rit or other evidence is	t be entered necessary and
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to of showing a good and sufficient reasons why it is necessary	vercome all rejections under appea	al and/or appellant fai	Is to provide a
10. ☐ The affidavit or other evidence is entered. An explanatio REQUEST FOR RECONSIDERATION/OTHER	n of the status of the claims after e	ntry is below or attach	ied.
 11. ☐ The request for reconsideration has been considered bu Claim 13 would still be rejected over the prior art, since 12. ☐ Note the attached Information Disclosure Statement(s). 	ammonia is still being claimed.		ice because:
13. Other:	(1.10/00/00 01 F10-1449) Faper N	• • —	
		Rund	_

Philip C Tucker Primary Examiner Art Unit: 1712

Part of Paper No.

Continuation Sheet (PTO-303)

Continuation of 3. NOTE: The teaching of at ;east 11 pounds per gallon in claim 25 fails to further limit the at least 19 pounds per gallon of parent claim 12. The amendment of claim 12 to at least 19 pounds per gallon would require further consideration and/or search.